

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 20-44881

CHARLES FISHER,
and MIRANDA J. FISHER,

Chapter 7

Judge Thomas J. Tucker

Debtors.

ORDER DISMISSING CASE

On April 8, 2020, a voluntary petition for relief under Chapter 7 was filed, commencing this case, and the Debtors each also filed, among other documents, a document entitled “Certificate of Counseling” (Docket #1, pdf pages 8-9). Each of those documents states that on **July 23, 2019**, the Debtor received “an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.”

Neither of the Debtors is eligible to be a debtor in this case, under 11 U.S.C. § 109(h)(1). That section provides in relevant part, that:

an individual may not be a debtor under this title unless such individual has, **during the 180-day period ending on the date of filing the petition by such individual**, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

(Emphasis added).

The Debtors did not receive the required credit counseling briefing *during the 180-day period ending on the date of the filing of the petition*. The only credit counseling certificates that the Debtors have filed shows that each of the Debtors received a credit counseling briefing on July 23, 2019, which was **260 days** before the petition was filed in this case.

Accordingly,

IT IS ORDERED that this case is dismissed.

Signed: April 10, 2020



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge